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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/900,964	07/25/1997	RICHARD D. CAPPELS	P2106/757	8672

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04/07/2004

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EXAMINER

NGUYEN, JIMMY H

ART UNIT	PAPER NUMBER
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2673

37

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/900,964

Applicant(s)

CAPPELS, RICHARD D.

Examiner

Jimmy H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 35.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is made in response to applicant's amendment filed on 02/02/2004 (entered into the file wrapper as Paper No. 36). Claims 26-45 are currently pending in the application. An action follows below:

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 26-28, 34-37 and 41-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Masuda et al. (USPN: 5,978,041), hereinafter Masuda.

Regarding to claims 26, 27, 36, 37, 43 and 45, the claimed invention reads on Masuda as follows: Masuda discloses a system (an image display system as shown in **fig. 48**) and an associate method for generating a high-luminance viewing window (**a specific area for displaying a picture B**, see **fig. 48, col. 38, line 13**, and the disclosure at **col. 10, lines 16-21**, teaches the luminance or the brightness of the window area higher than the luminance of the area outside the window area) on a computer display device (**the picture display means 350, fig. 48**).

Masuda teaches the system comprising a host computer system (**the picture output means 351, fig. 48, col. 38, lines 5-10, lines 23-25**) for running an application program. The description, specifically **col. 36, line 59-67**, discloses the CPU circuit 34 (or the computer system since the CPU circuit is a part of the computer system) executing a program (i.e., the claimed

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application program) stored in the ROM, to perform the setting of a composite area (corresponding to the claimed window area) for displaying the picture data B. The description, specifically **col. 36, lines 53-58, col. 37, lines 25-32 and col. 38, lines 3-10**, discloses that a CPU circuit 34 as shown in figs. 31, 41 and 43, and a CPU circuit 3104 as shown in fig. 48, both are the same or function the same. In other words, Masuda implicitly discloses a host computer system (351) for running an application program.

Masuda teaches the system further comprising a processor device (a device including a **CPU circuit 34/3104 and elements 352 and 3103, see fig. 48**) for automatically generating a window control signal (**control signal, fig. 48**) via an interface (352) in response to the application program. The disclosure, specifically **fig. 48 and col. 36, line 59 through col. 37, line 14**, teaches control signal provided by the CPU to the display device, in response to an application program, and the disclosure, specifically, **fig. 52 and col. 39, lines 50-60**, teaches the control signal including the position and size of the specific area B corresponding to the claimed window.

Masuda teaches the system comprising a window generator device (**a timing generator 355, fig. 52**) for receiving from the interface (352) the control signal including a composite position data of the picture B, corresponding to the claimed window control signal (see **col. 39, lines 50-60**) and for generating a timing signal key (Key) corresponding to the claimed window information signal (see **fig. 52, col. 39, lines 61-67**).

Masuda teaches the system comprising a device, corresponding to the claimed display control device, including elements 3110-3116 and 3101 (see fig. 52) and elements 11, 13, 125 (see fig. 24), for receiving a video signal (**Video 1, fig. 52**) via a video input terminal 353 and the

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window information signal (**Key**) (see fig. 52), for processing the video signal in response to window information signal (**Key**) and for providing a processed video signal (**Video2**) to a computer display screen (3101), such as a cathode ray tube (14) as shown in fig. 24. Further, since in the case the picture display device 3101 is a cathode ray tube display device as disclosed at col. 43, lines 5-11, the picture display device 3101 at least includes a video processing circuit and a variable gain video output circuit, as shown in fig. 24, and both included in the computer display device. Masuda further teaches the display control device (a device including elements 3110-3116 and 3101, as shown in fig. 52, and elements 11, 13, 125 as shown in fig. 24) being a video amplifier (by virtue of the operation described at col. 25, lines 36-41). Accordingly, the Masuda reference anticipates the invention defined in claims 26, 27, 36, 37, 43 and 45.

Regarding to claim 28, Masuda's the CRT display device inherently comprises a high voltage power supply (HVPS) for providing a high voltage signal to an anode of the CRT device in order to display an image on the CRT (col. 43, lines 52-55).

Regarding to claims 34, 41 and 44, Masuda further teaches the information (a television picture signal B, fig. 48, col. 32, lines 49-52) within the window is different from information (a computer picture data A, fig. 48) outside the window.

Regarding to claims 35 and 42, Masuda further teaches the host computer providing a HSYNC signal (fig. 54) and a VSYNC signal (fig. 54).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 29-33 and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Masuda as applied to claims 28 and 37 above, and further in view of Lagoni (USPN: 5,204,748).

Regarding to claims 29, 30 and 38, as discussed in the rejection to claim 28 above, Masuda's the CRT display device inherently comprises a high voltage power supply (HVPS) for providing a high voltage signal to an anode of the CRT device. Masuda further teaches that, in the case of a CRT display device, when the mean brightness is extremely increased causing an extremely high beam current to flow, it will affect the life time of the CRT device (col. 43, lines 5-10), but Masuda does not teach to use the limiter device for limiting beam current.

Accordingly, Masuda discloses everything except for the limiter device of claims 29 and 38.

However, Lagoni teaches an apparatus and an associate method for displaying a small window on a main window on a CRT display device (col. 1, lines 7-11), wherein the CRT display device (fig. 1) comprises a high voltage power supply (29) for providing a high voltage signal to an anode of said CRT device (fig. 1, col. 5, lines 27-32), and an automatic beam limiter (a circuit including BCL section 41, BCL switch section 53, white peak detector 49, auxiliary contrast filter 63, main contrast filter 33 and threshold comparator 50, see fig. 1) for sampling the current of said high voltage signal to automatically determine when to limit said signal (col. 1, lines 26-49, and col. 7, line 56 – col. 8, line 36). It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to provide Lagoni's ABL in the CRT display device of Masuda, in view of the teaching in the Lagoni reference, because this would prevent damage to the picture tube due to an excessive beam current, thereby prolong the

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life time of the CRT display device, as recognized by both Masuda (col. 43, lines 5-10) and Lagoni (col. 1, lines 26-49 and col. 2, lines 8-14).

Regarding to claims 31-33, 39 and 40, as discussed in the rejection above, Masuda teaches the display control device (a device including elements 3110-3116 and 3101, and elements 11, 13, 125 as shown in fig. 24) being a video amplifier (by virtue of the operation described at col. 25, lines 36-41). And, Lagoni further teaches that a PIP processor (5) as a window generator device receives a window control signal (a PIP control signal generated by the receiver control 7, see fig. 2) and generates a window information signal (FS) to the ABL (col. 6, lines 53-59), and the ABL provides an analog window signal (an output of BCL section 41 being provided to the brightness filter section 39, see fig. 2, col. 1, lines 39-44) to control the gain of a video amplifier (a combination of elements 9-11, 13, 15, 17 and 39) (see column 6, line 48 - column 7, line 55). Accordingly, the combination of Lagoni and Masuda discloses the claimed invention defined in these claims.

Response to Arguments

6. It is noted Applicant that the provisional double patenting rejection in the last Office Action dated 10/31/2003 is hereby withdrawn in view of a Terminal Disclaimer filed on 2/2/2004.

7. Applicant's arguments, see pages 8-13 of the amendment, filed on 02/02/2004, with respect to the rejections under 35 USC 102 and 35 USC 103, have been fully considered but they are not persuasive because as follows:

Applicant states that Masuda does not teach "a host computer system for running an application program", and "a processor device for automatically generating a window control

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signal in response to said application program”, see page 9, lines 3-9. Examiner disagrees because as follows:

- i. Regarding to the claimed feature, “a host computer system for running an application program”, as discussed more in the detail rejection above, Masuda teaches a host computer system (351) (see **fig. 48, col. 38, lines 5-10, lines 23-25**) including a CPU circuit 3104, which is the same as a CPU (34) as shown in fig. 31, 41 or 43 (see the description, specifically **col. 36, lines 53-58, col. 37, lines 25-32 and col. 38, lines 3-10**). The description, specifically **col. 36, line 59 through col. 37, line 17**, discloses the CPU circuit (34/3104) (or the host computer system since the CPU circuit is a part of the host computer system) executing a program (i.e., the claimed application program) stored in the ROM, to perform the setting of a composite area (corresponding to the claimed window area) for displaying the picture data B.
- ii. Regarding to the feature, “a processor device for automatically generating a window control signal in response to said application program”, as discussed more in the detail rejection above, Masuda teaches the system further comprising a processor device (a device including a **CPU circuit 34/3104 and elements 352 and 3103, see fig. 48**) for automatically generating a window control signal (**control signal, fig. 48**) via an interface (352) in response to the application program. The disclosure, specifically **fig. 48 and col. 36, line 59 through col. 37, line 14**, teaches control signal provided by the CPU to the display device, in response to an application program, and the disclosure, specifically, **fig. 52 and col. 39, lines 50-60**, teaches the control signal including the position and size of the specific area B corresponding to the claimed window.

Applicant further argues that the description of fig. 48 does not disclose how and why the control signal is generated, see page 10, lines 18-25. See the response in section (i) and (ii) above.

Applicant further argues that Masuda does not teach “generating a window information signal in response to the window control signal”, page 10, last second line, through page 11. Examiner disagrees because as discussed more in the detailed rejection above, the description at col. 39, lines 49-67, discloses expressly that the “control signal” (corresponding to the claimed window control signal) from the interface 352, as shown in fig. 48, is provided to an input terminal 3254 of the timing generator (355) (corresponding to the claimed window generator), which generates a timing signal key (KEY) corresponding to the claimed window information signal. Further, figs. 48 and 52 and the description at col. 38, lines 37-40, discloses expressly a picture signal Video1 (corresponding to the claimed video signal) from the picture composition 3103, as shown in fig. 48, is provided to a video input terminal 353, of the display control device (a device including elements 3110-3116 and 3101), as shown in fig. 52.

Further, Applicant argues that the timing signal key is not received by a display control that receives both a video signal and the window information signal and processes the video signal in response to the window information signal, page 11, fourth paragraph. Examiner disagrees because as discussed in the detailed rejection above, a device, corresponding to the claimed display control device, including elements 3110-3116 and 3101 (see fig. 52), for receiving a video signal (**Video 1, fig. 52**) via a video input terminal 353 and the window information signal (**Key**) (see fig. 52), for processing the video signal in response to window

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information signal (Key) and for providing a processed video signal (Video2) to a computer display screen (3101).

For the above reasons, it is believed that the rejections should be sustained.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is (703) 306-5422. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

JHN
April 5, 2004


Amare Mengistu
Primary Examiner